

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15 and 19 are pending in the present application. Claims 15 and 19 are amended by the present amendment. Support for the amended claims can be found at least at Fig. 11 and its corresponding description in the originally filed disclosure. No new matter is presented.

In the Office Action, Claims 15 and 19 are rejected under 35 U.S.C. § 112, first and second paragraphs; and Claims 15 and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over IBM NewGenPay (herein, IBM) in view of *iKP* Micropayment Protocol (herein, iKP), both described in Electronic Payment Systems for E-Commerce, Second Edition (Claim 15 is also rejected in view of Applicant's Background).

As an initial matter, Applicants appreciatively acknowledge the courtesy extended by Examiner Johns in holding a personal interview with the undersigned on August 24, 2010. During the interview, an overview of the invention was presented, and proposed claim amendments were discussed, which Examiner Johns indicated would overcome the outstanding rejections under 35 U.S.C. § 112, first and second paragraphs, and 35 U.S.C. § 103. In response, Claims 15 and 19 are amended as discussed during the interview.

The Office Action rejects Claims 15 and 19 under 35 U.S.C. § 112, first paragraph, asserting that the specification fails to provide support for the claimed features directed to “generating and transmitting ... the authentication and payment message ... before a next service is provided to the wireless terminal.”

In response, and as discussed during the interview, Claims 15 and 19 are amended to omit the above-noted language, and instead recite “generating and transmitting ... authentication and payment message ... immediately after the requested service has been

provided.” Support for this claimed feature can be found in an exemplary embodiment at least at S308 in Fig. 11 of the specification.

Accordingly, Applicants respectfully request that the rejection of Claims 15 and 19 under 35 U.S.C. § 112, first paragraph, be withdrawn.

The Office Action rejects Claims 15 and 19 under 35 U.S.C. § 112, second paragraph, asserting that the reference to “the authentication and payment message” in Claims 15 and 19 renders these claims indefinite.

In response, and as discussed during the interview, Claims 15 and 19 are amended to recite each of “first” and “second” authentication and payment messages for purposes of clarity.

Accordingly, Applicants respectfully request that the rejection of Claims 15 and 19 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Office Action rejects Claims 15 and 19 under 35 U.S.C. § 103(a) as unpatentable over IBM in view of iKP. In response to this rejection, and as discussed during the interview, Applicants respectfully submit that Claims 15 and 19 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 15, for example, is amended to recite, in part, an operation method of an authentication and payment system including a wireless terminal apparatus, a service providing server, an authentication and payment server, and a network connecting the wireless terminal apparatus, the service providing server, and the authentication and payment server, comprising:

... transmitting, from the service providing server to the authentication and payment server, a first authentication and payment message prior to providing the requested service when the comparing determines that the amount of payment of the requested service is greater than the reference amount; and

generating and transmitting to the authentication and payment server, by the service providing server, a second authentication and payment message immediately *after the requested service has been provided* to the wireless

terminal apparatus, *when* the comparing determines that *the amount of payment of the requested service is less than the reference amount*.

Independent Claim 19, while directed to an alternative embodiment, is amended to recite similar features.

At pp. 6-7, the Office Action concedes that IBM fails to disclose the features directed to “generating and transmitting ...”. In an attempt to remedy this deficiency, the Office Action relies on iKP.

More particularly, the Office Action relies on pp. 260-261 and Fig. 7.25 of iKP, which describes a transaction between a customer (C), a merchant (M) and an acquirer gateway (A). As shown in Fig. 7.25, the merchant (M) contacts the acquirer (A) to confirm that enough “coupons” are available prior to providing a service to the customer (C). Moreover, iKP describes that the merchant accumulates the coupons deposited by the customer until the last coupon in the chain is reached or until the merchant is satisfied that the merchant has accumulated enough coupons to warrant sending a Clear-Request to the acquirer.

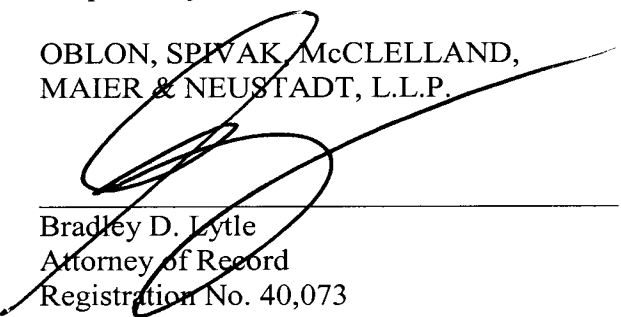
iKP, therefore, describes that the merchant sends an “Auth-Request” to the acquirer before any coupons are exchanged between the merchant and the customer, and before any goods or services are provided to the customer. Moreover, iKP describes that the number of coupons deposited by the customer must exceed a threshold (i.e. be greater than a reference amount) prior to providing the requested good or service to the customer.

Therefore, as discussed during the interview, IBM, even if combined with iKP, fails to teach or suggest “generating and transmitting to the authentication and payment server, by the service providing server, a second authentication and payment message immediately *after the requested service has been provided* to the wireless terminal apparatus, when the comparing *determines that the amount of payment of the requested service is less than the reference amount*”, as recited in amended independent Claims 15 and 19.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 15 and 19 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



---

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/09)

Andrew T. Harry  
Registration No. 56,959